

LAW OFFICES OF

**DUKES, DUKES, KEATING & FANCA, P.A.**

2909 13<sup>TH</sup> STREET, SIXTH FLOOR  
GULFPORT, MISSISSIPPI 39501

WALTER W. DUKES  
HUGH D. KEATING  
CY FANCA  
PHILLIP W. JARRELL\*  
W. EDWARD HATTEN  
TRACE D. MCRAVEY  
BOBBY R. LONG

WILLIAM F. DUKES,  
(1927 - 2003)

P. O. DRAWER W  
GULFPORT, MS 39502

TELEPHONE  
228-868-1111

FAX  
228-863-2886

JE'NELL B. GUSTAFSON\*\*  
DAVID N. DUHE'  
HALEY N. BROOM  
AMANDA M. SCHWARTZ\*\*\*  
JON S. TINER

January 7, 2008

\*also licensed in TX  
\*\*also licensed in CA  
\*\*\*also licensed in NC

**VIA FACSIMILE - (865-0337)**

**and U.S. Mail**

Michael Crosby, Esq.  
2111 25<sup>th</sup> Avenue  
Gulfport, MS 39501

Re: Roderick Clark Miller v. Harrison County, Mississippi, et al.  
U. S. District Court, Southern District of Mississippi, Southern Division  
Civil Action No. 1:07cv541  
Our File No. 1811.0108

Dear Michael:

I have previously contacted your office on several occasions regarding the Plaintiff's Pre-Discovery Disclosures which are now past due. Also, please reference Sheriff Payne's First Set of Interrogatories and First Request for Production of Documents, and Phil Taylor's First Set of Interrogatories served on or about November 5, 2007. To date, we have not received your responses to this written discovery.

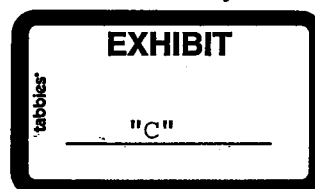
Please either provide Defendants with your responses on or before January 11, 2008 or sign the enclosed Good Faith Certificate on the line indicated, and return same to me in the stamped, self-addressed envelope. If I do not receive your Pre-Discovery Disclosures and discovery responses or the signed certificate from you on or before January 11, 2008, I will proceed with a Motion to Compel and note that you refused to sign certificate.

Sincerely,

DUKES, DUKES, KEATING & FANCA, P.A.

*Haley N. Broom*

Haley N. Broom



HNB:lh  
Enclosure

cc: John Whitfield  
Jim Davis  
Karen Young  
George Hembree, III

FORM 5 (ND/SD Miss. Dec. 2000)

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI**

**RODERICK CLARK MILLER**

**Plaintiff**

**v.**

**CIVIL ACTION      1:07cv00541LGJMR  
No.**

**HARRISON COUNTY, MISSISSIPPI, BY AND  
THROUGH ITS BOARD OF SUPERVISORS,  
HARRISON COUNTY SHERIFF  
DEPARTMENT, SHERIFF GEORGE PAYNE,  
OFFICIALLY AND IN HIS INDIVIDUAL CAPACITY,  
DIRECTOR OF CORRECTIONS  
MAJOR DIANNE GATSON-RILEY, OFFICIALLY  
AND IN HER INDIVIDUAL CAPACITY, BOOKING  
SUPERVISOR CAPTAIN RICK GASTON,  
OFFICIALLY AND IN HIS INDIVIDUAL CAPACITY,  
TRAINING DIRECTOR CAPTAIN PHIL  
TAYLOR, OFFICIALLY AND IN HIS INDIVIDUAL  
CAPACITY, CENTRAL CONTROL OFFICER  
PRESTON WILLS, OFFICIALLY AND IN HIS  
INDIVIDUAL CAPACITY, BOOKING ROOM  
DEPUTY JERRED MARK NECAISE,  
OFFICIALLY AND IN HIS INDIVIDUAL CAPACITY,  
BOOKING ROOM DEPUTY CATHERINE  
PAVOLINI, OFFICIALLY AND IN HER INDIVIDUAL  
CAPACITY, AMERICAN CORRECTIONAL  
ASSOCIATION, AND OTHER UNKNOWN  
JOHN AND JANE DOES A-Z, ALSO IN THEIR  
OFFICIAL AND INDIVIDUAL CAPACITIES**

**Defendants**

**GOOD FAITH CERTIFICATE**

FORM 5 (ND/SD Miss. DEC. 2000)

All counsel certify that they have conferred in good faith to resolve the issues in question and that it is necessary to file the following motion:

Motion to Compel

Counsel further certify that:

☒ as appropriate:

- ☐ 1. The motion is unopposed by all parties.
- ☐ 2. The motion is unopposed by:
- ☒ 3. The motion is opposed by: Plaintiff
- ☐ 4. The parties agree that replies and rebuttals to the motion shall be submitted to the magistrate judge in accordance with the time limitations stated in Uniform Local Rule 7.2

This the \_\_\_\_\_ day of \_\_\_\_\_ 2008.

\_\_\_\_\_  
Signature of Plaintiff's Attorney

\_\_\_\_\_  
Typed Name and Bar Number

\_\_\_\_\_  
Signature of Defendant's Attorney

Cy Faneca, MSB # 5128

\_\_\_\_\_  
Typed Name and Bar Number

\*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
\*\*\*\*\*

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